

From: [DEH \(JWPT\)](#)
To: [Lowell, Abbe](#); [LJW \(JWPT\)](#)
Cc: [bdalton@](#) [REDACTED]; [Kolansky, David A.](#); [Oishi, Bella](#)
Subject: RE: Delaware Schedule
Date: Monday, September 16, 2024 2:00:19 PM



Abbe,

We oppose. We don't think a continuance is appropriate.

Derek.

Derek E. Hines
Senior Assistant Special Counsel
U.S. Department of Justice

From: Lowell, Abbe [REDACTED]
Sent: Friday, September 13, 2024 12:02 PM
To: LJW (JWPT) [REDACTED]; DEH (JWPT) [REDACTED]
Cc: [bdalton@](#) [REDACTED]; [Kolansky, David A.](#) [REDACTED]; [Oishi, Bella](#) [REDACTED]
Subject: [EXTERNAL] Delaware Schedule

Counsel:

I am writing to see if we can reschedule the Delaware sentencing date for either the end of November or in December (depending on your Smirnov case and the Court's calendar). We have a variety of pre-sentencing tasks that now need time to be completed for both Delaware and California that overlap. It would be good for us to coordinate those to avoid duplication (e.g., updating financial reports, interviews with our client and his family). In addition, several people who we are asking to submit letters to the Courts as part of sentencing memoranda are short of time because they are involved in government work and travel or the presidential campaign. When we get those letters, we need to incorporate them into our memoranda. If there will be any live testimony at the sentencing hearing, some of these same individuals may likely not be available depending on any post-November 5 events. In addition, I have both foreign travel for meetings with clients and possibly prosecutors in other cases and will be out for various holidays throughout October. There are deadlines and court appearances in a number of civil cases for Mr. Biden and other clients between now and through November 12. These include discovery requests and responses, initial disclosures, four or more depositions in the remainder of September, a deposition which may have to be taken abroad in October, and preparation for and attendance at two court conferences, including a pre-trial conference in one of Mr. Biden's cases on 11/12 in California (making it impossible for me to get back to DE in time for the sentencing the following day), and preparation for a trial beginning in December.

The brief postponement we seek would not be a long one, and it is the first request. Please let us know your position on this so we can hopefully work out a mutually agreeable date.

Thank you for the consideration,

Abbe

Abbe David Lowell

Partner
Co-Chair, Government Investigations,
Enforcement, and Compliance

Winston & Strawn LLP
1901 L Street, N.W.
Washington, DC 20036

D: [REDACTED]

F: [REDACTED]

200 Park Avenue
New York, NY 10166-4193

D: [REDACTED]

F: [REDACTED]

[VCard](#) | [Email](#) | [winston.com](#)



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